

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HECTOR MANUEL VILLA-SANCHEZ,

Defendant.

CASE NO. CR06-425 MJP

DETENTION ORDER

Offenses charged:

Count I - Conspiracy to Distribute Methamphetamine

(500 grams or more of mixture, 50 grams or more of actual methamphetamine)

Count III - Conspiracy to Distribute Cocaine (500 grams or more)

Date of Detention Hearing: 12/06/06

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

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18 U.S.C. § 3142(i)

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The drug offense with which defendant is charged in Count I carries a maximum penalty of life imprisonment, with a mandatory minimum sentence of ten years. There is therefore a rebuttable presumption that defendant will be detained.
- (2) The evidence and proffer presented by defendant does not effectively rebut that presumption.
- (3) The law enforcement wiretaps reveal several discussions between defendant and the co-conspirators concerning distribution of cocaine and methamphetamine.
- (4) Defendant bears the tattoos of a member of the "MS-13" gang. According to the United States, this is an extremely violent gang; and a member can leave the gang only by his death. Defendant claims that he was a member of a different gang, and has not been active for a number of years. But he admits he would "get his ass kicked" if he denied membership in MS-13.
- (5) Defendant has not had legitimate employment for approximately one year.
- (6) Defendant told the Pretrial Services Officer that he consumes 24 beers every other day; and that he is a current user of methamphetamine.
- (7) The National Crime Information Center advises that defendant is associated with the use of five alias names and two dates of birth.
- (8) There is a state court warrant outstanding for his arrest.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 7th day of December, 2006.

/s/John L. Weinberg
JOHN L. WEINBERG
United States Magistrate Judge